

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

v.

Yoliann Rosario-Albert (3)
Defendant

Cr. No. 21-00274-ADC-3

**THIRD MOTION INFORMING BAIL VIOLATION AND REQUESTING MODIFICATION
OF CONDITIONS OF RELEASE**

TO THE HONORABLE COURT
DISTRICT OF PUERTO RICO

COMES NOW, **Cristina Crespo**, U.S. Probation Officer of this Court, who respectfully informing that:

1. On August 5, 2021, Ms. Yoliann Rosario-Albert was ordered released by the Honorable U.S. Magistrate Judge Marshal D. Morgan, on a \$10,000.00 unsecured bond with location monitoring as directed by the officer, and all other standard conditions of release.
2. On August 23, 2021, an informative motion notifying bail violation and requesting no action was filed. (DE# 35) and noted by the court on September 1, 2021. (DE# 44).
3. On February 7, 2022, a second motion notifying violations of bail supervision conditions, requesting no action was filed (DE# 64) and was noted by the court on March 4, 2022. (DE#69).

4. On Monday March 21, 2022, the undersigned received a call from PRPD officer Jose M. Monje-Cirino from the 245 Precinct in Pinoñes Loiza, PR, notifying that he summoned Ms. Rosario-Albert to report to his precinct for an interview. Officer Monje-Cirino advised that on Sunday March 13, 2022, at around 12 noon, Ms. Rosario-Albert was involved in an altercation with her boyfriend's ex-girlfriend. Ms. Rosario-Albert failed to report this law enforcement contact in apparent violation of bond condition **7(r) "Report as soon as possible, to the pretrial services officer, every contact with law enforcement personnel, including arrests, questioning and/or traffic stops."**
5. On March 23, 2022, the undersigned discussed the information brought to our attention by the state police with Ms. Rosario-Albert. According to Ms. Rosario-Albert, she defended herself when her boyfriend's ex-girlfriend attacked them.
6. Later than same day PRPD Officer Monje-Cirino called the undersigned to notify that upon interviewing Ms. Rosario-Albert, he provided her with a summons to appear at the Carolina First Instance Court on April 8, 2022, at 10:00am. Officer Monje-Cirino further stated Ms. Rosario-Albert was charged with both Assault (*misdemeanor*) and for providing a false statement to a police officer in apparent violation of bond condition **1. "The defendant must not violate, federal, state or local law while on release."**
7. Our office has requested the police and court documentation, but our request remains pending. Once our office receives these documents a supplemental motion will be filed.

WHEREFORE, the undersigned requests that the Court take notice of the contents of this motion and until further information becomes available, we recommend that the court modify the location monitoring component from Curfew to Home Detention where Ms. Rosario-Albert will only be allowed leave for pre-approved activities by the undersigned. Any additional violations will be brought before the Court for pertinent action.

In San Juan, Puerto Rico, this 31st day of March of 2022.

Respectfully submitted,

LUIS O. ENCARNACION-CANALES
CHIEF U.S. PROBATION OFFICER

s/Cristina Crespo

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that today, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the parties in this case.

s/Cristina Crespo

Cristina Crespo, U.S. Probation Officer